

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ZAIE ESCRIBANO,

Movant,

22 **CIVIL** 3010 (LTS)

16 **CR.** 826 (LTS)

-against-

JUDGMENT

UNITED STATES OF AMERICA,
Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Order dated December 30, 2022, Petitioner's motion brought pursuant to 28 U.S.C. section 2255 is denied in its entirety. Petitioner may not appeal the Memorandum Order unless "a circuit justice or judge issues a certificate of appealability." 28 U.S.C.A. § 2253(c)(1) (Westlaw through P.L. 117-185). A certificate will be granted "if the applicant has made a substantial showing of the denial of a constitutional right." Id. § 2253(c)(2); see generally *United States v. Perez*, 129 F.3d 255, 259-60 (2d Cir. 1997) (discussing the standard for issuing a certificate of appealability). The Court finds that Petitioner will not be able to sustain this burden and has declined to issue a certificate of appealability. Furthermore, the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Order would not be taken in good faith. See *Coppedge v. United States*, 369 U.S. 438, 444 (1962); accordingly, case 22 CV 3010 is closed.

DATED: New York, New York
December 30, 2022

RUBY J. KRAJICK

BY:

Clerk of Court

K. mango

Deputy Clerk